

Serial No. 09/694,530
Petition to Revive Application

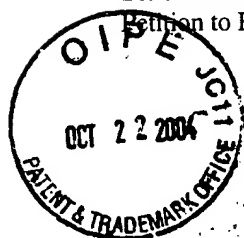
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Attorney Docket No. ZAA-10204/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zaher Al-Sheikh

Serial No.: 09/694,530

Group Art Unit: 2621

Filing Date: October 23, 2000

Examiner: Duy M. Dang

For: METHOD FOR VERIFYING THE IDENTITY OF A PASSENGER

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**PETITION TO REVIVE APPLICATION ABANDONED
FOR FAILURE TO TIMELY REPLY TO OFFICE ACTION**

JUN 9 - 2005

DIRECTOR OFFICE
TECHNOLOGY CENTER 2000

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully petitions for withdrawal of the holding of abandonment mailed 25 August 2004 for the above-referenced application. Enclosed herewith is the petition fee per 37 CFR 1.17(l) and a request for return of the same fee.

I hereby state as the attorney responsible for prosecuting the application at the time of amendment that a Request for Continued Examination (RCE) was duly filed on 21 May 2004 and therefore a holding of abandonment is improper. The Notice of Abandonment is found at Appendix A to this petition. In support of Applicant's position, a copy of the Request for Continued Examination as filed indicating the Express Mail shipment number EV 435303793 US is found at Appendix B. A printout from the United States Postal Service electronic tracking system indicates mailing on 21 May 2004 and receipt at the USPTO on 24 May 2004 being signed for by Mary Boston of the Office of Administrative Services, telephone number

10/26/2004 HAL111 00000009 09694530

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55.00 OP

Page 1 of 2

(703) 308-0907. The United States Postal Service shipping record is found at Appendix C. A voice mail message left for the Examiner in charge of this application on 20 September 2004 failed to elicit a withdrawal of the Notice of Abandonment and therefore necessitated this petition. I hereby petition for a withdrawal of the Notice of Abandonment and consideration of the Request for Continued Examination in due course.

I further request a refund of the petition fee provided herewith as the petition was necessitated by USPTO error.

Respectfully submitted,



Avery N. Goldstein
Registration No. 39,204
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

Attorney for Applicant

ANG/gs

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DATE OF DEPOSIT October 22, 2004

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Janice R. Kuehn



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,530	10/23/2000	Zaher Al-Sheikh	ZAS-10204/03 ZAA-10204/03	9685
25006	7590	08/25/2004	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE ANDERSON & CITKOWSKI, PC 280 N OLD WOODARD AVE SUITE 400 BIRMINGHAM, MI 48009			DANG, DUY M	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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AUG 30 2004
GIFFORD, KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.



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OCT 27 2004

Notice of Abandonment

Application No.

OFFICE OF PETITIONS

Applicant(s)

09/694,530

AL-SHEIKH, ZAHER

Examiner

Art Unit

Duy M Dang

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 31 December 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



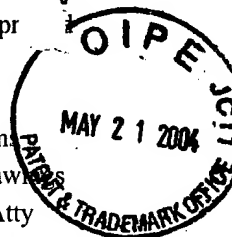
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PATENT

Mail Stop: RCE

The received stamp of the U.S. Patent and Trademark Office hereby acknowledges the filing of:

- ☐ Transmittal Letter ☐ New Patent Application
____ Page(s) Specifications ____ Page(s) Claims
____ Page(s) Abstract ____ Sheets of Drawings
☐ Small Entity Declaration ☐ Declaration & Power of Attorney
☐ IDS, PTO 1449 & Patents ☐ Assignment & Recordation Cover Sheet
☐ Amendment/Response ☒ Check #595⁰⁰



Other: Request for Continued Examination (RCE)
Request for Extension of Time (2 mos.)

Inventor: Zaher Al-Sheikh

Serial/Reg. No. 09/649,530 Atty Docket No. ZAA-10204/03

ANG Date: May 21, 2004 Date Due: 5/31/2004
JK ☒ Cert. Of Mailing/Express Mail Label No. EV43530379345



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ANG/KK ZAA-10204/03 5/21/04

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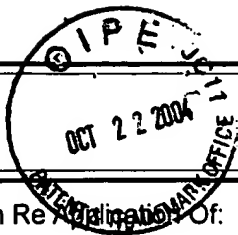
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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
ZAA-10204/03

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In Reply, Please Refer to: Zaher Al-Sheikh

OCT 27 2004

OFFICE OF PETITIONS

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/694,530	October 23, 2000	Duy M. Dang	25006	2621	9685

Title: METHOD FOR VERIFYING THE IDENTITY OF A PASSENGER

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is:

1. Petition to Revive Application Abandoned for Failure to Timely Reply to Office Action, including a request for refund; and
2. Check the Amount of \$55.00 for Petition Fee Under 1.17(l)

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of \$55.00 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 07-1180 as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Avery N. Goldstein
Signature

Dated: 10/22/2004

Avery N. Goldstein, Reg. No. 39,204
Attorney for Applicant
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Avenue, Suite 400
Birmingham, MI 48009-5394
(248) 647-6000

EV539904527US

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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(Date)

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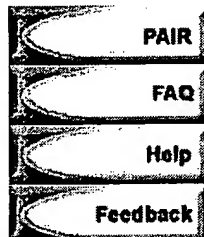
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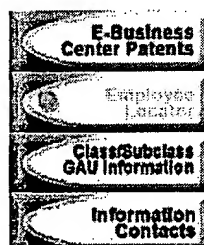
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